

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 11-10342-GAO

RANDAL GUILLAUME,
Petitioner,

v.

JOSEPH MCDONALD, JR., Sheriff of Plymouth County; JUSTIN GELLERT, Chief,
Immigration & Customs Enforcement Headquarters Custody Management Unit; BRUCE
CHADBOURNE, Boston Field Office Director, Enforcement and Removal Operations,
Immigration & Customs Enforcement; JANET NAPOLITANO, Secretary of U.S. Department of
Homeland Security; JOHN T. MORTON, Assistant Secretary, U.S. Immigration & Customs
Enforcement,
Respondents.

ORDER
April 14, 2011

O'TOOLE, D.J.

The petitioner moves for a stay of execution of an order of removal. (See Pet'r's
Emergency Mot. for Stay of Execution.)

This Court does not have the authority to stay the execution of the removal order here.
See 8 U.S.C. § 1252(g) (“[N]o court shall have jurisdiction to hear any cause or claim by or on
behalf of any alien arising from the decision or action by the Attorney General to . . . execute
removal orders against any alien . . .”).

To the extent that the petitioner here seeks review of a final order of removal, this Court
does not have authority to conduct such a review. See 8 U.S.C. § 1252(a)(5); see also Ishak v.
Gonzales, 422 F.3d 22, 28 (2005) (“The Real ID Act . . . place[d] review of all final removal
orders, for both criminal and non-criminal aliens, in the courts of appeals.”).

Accordingly, Petitioner's Emergency Motion for Stay of Execution of Any Transfer, Removal, or Other Further Action Against Petitioner (dkt. no. 14) is DENIED. Petitioner's Motion for Order to Show Cause Prior to April 15, 2011 (dkt. no. 13) is also DENIED.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
United States District Judge